



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/482,032	01/13/2000	David Stanley Bull	043474/258310	6471

826 7590 01/11/2005

ALSTON & BIRD LLP  
BANK OF AMERICA PLAZA  
101 SOUTH TRYON STREET, SUITE 4000  
CHARLOTTE, NC 28280-4000

EXAMINER

KALINOWSKI, ALEXANDER G

ART UNIT PAPER NUMBER

3626

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/482,032

Applicant(s)

BULL ET AL.

Examiner

Alexander Kalinowski

Art Unit

3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 33-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 33-56 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/1/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 33-56 are presented for examination. Claims 33-56 are presented for examination. Applicant further filed a request for reconsideration on 10/27/2004. In light of Applicant's arguments, the Examiner withdraws the grounds of rejection of claims 33-56 based on 35 USC 103 and 35 USC 112(2). New grounds of rejection of claims 33-56 based on 35 USC 102 are established in the instant office action as set forth in detail below.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 33-56 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 33-56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Randle, Pat. No. 5,787,403 in view of Damico et al., Pat. No. 5,819,285 (hereinafter Damico) and Tobin, Pat. No. 6,141,666.

Art Unit: 3626

As to claims 33, 35, 37, 39, 41-45, 47, 49, 51, and 53-56, Randle discloses a method for managing information using an gateway (i.e. unit 40)(see Fig. 1 and abstract) and, the method comprising the steps of:

receiving a request to communicate with a network accessible datastore having a particular network address (col. 3, lines 36-45);

and

providing access to the network addressable datastore through the gateway wherein the gateway controls access to the network addressable datastore (i.e. products and services of other providers P1, P2, ..., PN that are accessible through the gateway)(col. 3, lines 27-67).

Randle does not explicitly disclose

modifying the particular network address of the datastore and using the modified network address to access the network addressable datastore

However, Randle discloses using a gateway to control access to datastores (i.e. products and services of other providers P1, P2, ..., PN that are accessible through the gateway)(col. 3, lines 27-67). Damico discloses modifying the particular network address of the datastore and using the modified network address to access the network addressable datastore (i.e. a destination URL is formed with redirecting means by substituting the destination URL portion in place of the second portion in the URL WHEREIN the destination URL represents a relative address of the second location on the WWW)(col. 3, lines 22-31 and col. 5, lines 38-47). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include discloses

Art Unit: 3626

modifying the particular network address of the datastore and using the modified network address to access the network addressable datastore as disclosed by Damico within Randle. The motivation to combine was tracking user paths on the Web to determine the identity of the entity that directed the user to the current web site for transactional purposes (col. 1, lines 8-15 and col. 2, lines 15-28).

Randle and Damico do not explicitly disclose incorporating the address of the intermediary gateway device within the modified address of the network accessible datastore

However, Tobin discloses incorporating the address of the intermediary gateway device within the modified address of the network accessible datastore (Col. 10, lines 28-65 and col. 11, lines 21-26). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned feature as disclosed by Tobin within Randle and Damico. The motivation to combine was to track and compensate the site owner for orders placed by customers through this link (col. 10, lines 49-56).

As to claims 34, 36, 38, 40, 46, 48, 50, and 52, Randle and Damico do not explicitly disclose, wherein the modifying step further includes the substep of: modifying the particular network address of the datastore to include the address of the intermediary gateway device.

However, Tobin discloses using an intermediary gateway and discloses modifying the particular network address of the datastore to include the address of the intermediary gateway device and using the modified network address to access the

Art Unit: 3626

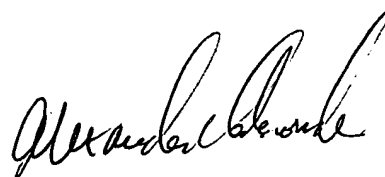
network addressable datastore (Col. 10, lines 28-65 and col. 11, lines 21-26). It would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to include the aforementioned feature as disclosed by Tobin within Randle and Damico. The motivation to combine was to track and compensate the site owner for orders placed by customers through this link (col. 10, lines 49-56).

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:30 PM. In addition, the examiner can be reached on alternate Fridays.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 872-9306 (for official communications including After Final communications labeled "Box AF").

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.



Alexander Kalinowski

Patent Examiner

Art Unit 3626

1/5/2005